

1 CHRISTIAN L. RAISNER, Bar No. 133839
2 ANDREA LAIACONA, Bar No. 208742
3 LINELLE S. MOGADO, Bar No. 236489
4 WEINBERG, ROGER & ROSENFELD
5 A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, California 94501-1091
Telephone: 510.337.1001
Facsimile: 510.337.1023
E-mail: courtnotices@unioncounsel.net

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

I, Elginia Bowers, hereby declare:

1. I am a Senior Auditor with Hemming Morse, Inc. I have been an auditor with this firm for approximately 11 years. I have personal knowledge of the matters stated in this Declaration, and I could and would testify as to them if called upon to do so at trial.

2. An audit of the books and records of Professional Technical Services Inc. (“ProTech”) relative to the contributions required to be paid to the Apartment Employees Pension Trust Fund as well as for the Apartment Employees Welfare Fund (“Trust Funds”) was conducted for the period from January 1, 2002 to April 30, 2004. This examination involved ADP payroll

records, State Quarterly Records, DE-6's and W-2's. There were several records which the company did not provide us: Cash Disbursement Journals, Account Payable Files, Check Registers outside of payroll and 1099's for 2002, 2003, and January through April 2004. Timecards were not provided and documentation verifying employees' job classification were also not provided.

5 3. The audit report for the Trust Funds, attached hereto as Exhibit "A" (in redacted
6 form) and made a part hereof, shows that during the period of January 1, 2002 to April 30, 2004,
7 Protech under-reported contributions to the Trust Funds in the amount of \$25,351.20.

8 4. The contribution amounts were calculated by taking the number of unreported hours
9 and multiplying that number by the appropriate rate, which was \$0.850 per hour per employee for
10 2002 to 2004. See Exhibit "A".

11 5. Invoices totaling \$9,558.39 were sent to the Trust Funds, which covered the costs of
12 the payroll audit for ProTech for said Trust Funds. Attached hereto as Exhibit "B" is a true and
13 correct copy of said invoices, in redacted form.

14 6. A summary of the invoices was also generated by my office. Attached hereto as
15 Exhibit "C" is a true and correct copy of said summary.

16 I declare under penalty of perjury that the foregoing statements are true and correct.
17 Executed this 19th day of February 2008, at San Francisco, California.

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/s/ Elginia Bowers
ELGINIA BOWERS